



**Rep. Giovanni Capriglione**  
**District 98**

**Sen. Kirk Watson**  
**District 14**

Friday, May 17, 2019

***FOR IMMEDIATE RELEASE***

**CONTACTS:**

Kate Alexander, Office of Sen. Kirk Watson: (512) 463-0114

Katy Aldredge, Office of Rep. Giovanni Capriglione: (512) 463-0690

## **Bipartisan Public Information Bill Wins House Approval**

The Texas House of Representatives gave final approval on Friday night to bipartisan legislation that closes significant loopholes in the Texas Public Information Act.

Senate Bill 943 restores public access to state and local contracting information in the wake of two Texas Supreme Court rulings that allowed private entities to more easily conceal their dealings with government.

"Today's passage of SB 943 is a strong statement for transparency in government contracting. I am proud to have worked on this legislation over the last two and a half years to bring back the fundamental importance of knowing how our tax dollars are being spent," said Rep. Giovanni Capriglione (R-Southlake), who carried the legislation with Sen. Kirk Watson (D-Austin).

"The Legislature is finally in a position to restore the public's right to know," Sen. Watson said. "If Texans are to hold their public officials accountable, access to public information is essential. I'm proud the Texas Legislature has stood strong for government transparency, and I'm grateful to Representative Capriglione and the dozens of stakeholders who worked with us to develop these agreed-to bills."

Watson and Capriglione set out this session to address businesses' legitimate concern about protecting proprietary information while ensuring the public can obtain key information about the deals made in the public's name.

SB 943 strikes this balance by:

- Restoring the competition or bidding exception to its longstanding interpretation so that only governmental bodies may raise it;

- Creating a new exception for contractors' proprietary information that's shared with a governmental body through the bid and solicitation process;
- Updating the trade secrets exception to include the definition of "trade secret" in the Texas Civil Practice & Remedies Code;
- Ensuring that contractors cannot raise the propriety information or trade secrets exception to block the public's access to key contract terms and information indicating whether or not a contractor performed its duties under the contract;
- Adding private prisons, private civil commitment facilities, and Alamo managers to the list of "governmental bodies" in the PIA;
- Providing a safe harbor that excludes economic development entities that maintain independence from the governmental bodies with which they do business from the definition of "governmental body" in the PIA; and
- Requiring other contractors to maintain information about their government contracts and share it with the governmental body if the governmental body needs it to respond to a PIA request it receives.

The legislation was crafted in consultation with the Texas Sunshine Coalition, which was formed during the last interim to advocate for greater government transparency. The coalition includes the Texas Public Policy Foundation, ACLU Texas, the League of Women Voters of Texas and several other organizations.

The Senate will concur with the amendments to the bill before it is sent to Gov. Abbott.

####